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Attorneys for Defendants

UNITED STATES DISTRICT COURT
DISTRICT OF ALASKA
AT JUNEAU

MYRNA I. JOHNSON,

Plaintiff,

Case No. 1J-04-008-CV (RRB)

v.

FRED MEYER STORES, INC., a
Delaware Corporation, and
JAIME SAN MIGUEL,

Defendants.

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DEFENDANTS' TRIAL EXHIBITS

In accordance with the Court's Pretrial Order (Docket 85), dated April 5, 2007, page 3, re Exhibits, defendants set forth below their proposed trial exhibits. The admissibility of these defendants' exhibits and plaintiff's exhibits will have to await review until immediately prior to trial because of the geographical separation of the parties' attorneys and the Court, precluding counsel from meeting with the deputy clerk prior to September 17, 2007.

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<i>Ex. No.</i>	<i>ADM</i>	<i>ID</i>	<i>Description (with references to Bates Stamp nos.)</i>
A			Fred Meyer Employment Application 11/30/92 (200001-02)
B			Fred Meyer Employee Responsibilities form 4/1/97 (200023)
C			Fred Meyer Performance Appraisal Form 6/12/01 (200056-59)
D			Request for Personal LOA (200403)
E			OV 3/13/02 re Planogram (201174)
F			OV 3/13/02 re Transfer (300513)
G			3/14/02 Daily Tour and Assignment Control (201230, 201240-241)
H			3/14/02 OV re Excellence in Execution (201251-252)
I			3/14/02 OV (201216)
J			3/16/02 & 3/14/02 OV re Planograms and Tours (201248)
K			3/16/02 OV re Sunday items (201249)
L			3/18/02 Employee Warning Notice (201217)
M			3/20/02 appointment calendar (202413)
N			Posting for Apparel Assistant Manager – 3/20/02 (200333-340)
O			Plaintiff's 2001 Income Tax Return (100038, 100043-50)
P			Plaintiff's 2002 Income Tax Return (100055-56, 100051-54)
Q			Plaintiff's 2003 Income Tax Return (100072-74, 100081)
R			Myrna Johnson deposition
S			Mary Lucas Hill deposition
T			Fred Sayre deposition
U			Johnna Havard deposition

DEFENDANTS' TRIAL EXHIBITS

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<i>Ex. No.</i>	<i>ADM</i>	<i>ID</i>	<i>Description (with references to Bates Stamp nos.)</i>
V			Dennis Affleck deposition
W			Ken Haverkost deposition
X			Julita Lim deposition

Defendants will oppose the admission of some contested exhibits. But until the Court rules on those objections, either before or during the course of trial, defendants will not know whether the potential exhibits described below, or others proposed by either side, will be admitted into evidence. Therefore, defendants reserve the right to list as additional trial exhibits any documents which were exhibits in the depositions of witnesses called to testify at trial, either by deposition or live. Other potential exhibits, depending on the development of evidence at trial, may include the following, although it currently is defendants' opinion that these potential exhibits are not admissible if the claim is properly limited.

AA		X	ALE Weekly Work Schedule – 3/23/02
BB		X	6/9/02 Havard to Lucas OV (200996-97)
CC		X	Employment History/Resume (100004-05)
DD		X	Employee Handbook (201424-458)

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RESPECTFULLY SUBMITTED this 17th day of September, 2007.

MILLER NASH LLP

s/ James R. Dickens

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Certificate of Service

I hereby certify that on September 17, 2007,
a copy of the foregoing was served
electronically on:

Mark Choate
lawyers@choatelawfirm.com

s/ James R. Dickens

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